

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of: Leonard E. Frey et al.

Group Art Unit: 2166 : IBM Corporation
Examiner: Srirama T. Channavajjala : Intellectual Property
Serial No.: 10/040,799 : Law
Filed: 01/07/2002 : Department SHCB/040-3
Confirmation No.: 2893 : 1701 North Street
Title: TRANSACTION METHOD : Endicott, New York 13760
AND SYSTEM

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

APPEAL BRIEF

Dear Sir:

Appellants hereby appeal from the Final Action of
07/21/2009 and offer the following arguments in support thereof.

(i) REAL PARTY IN INTEREST

The real party in interest is International Business
Machines Corporation, a corporation of New York, with a place of
business at Armonk, NY 10504.

(ii) RELATED APPEALS AND INTERFERENCES

There are no related appeals or interferences with which the undersigned is aware.

(iii) STATUS OF CLAIMS

Claims 1-19 are pending in the present application. Claims 1-19 have all been finally rejected and are the subject matter of this appeal.

(iv) STATUS OF AMENDMENTS

No amendments were filed subsequent to the final rejection of 07/21/2009. All amendments have been entered. Accordingly, claims 1-19 as presented in the amendment filed 06/01/2009, are being appealed and are listed in the "Claims Appendix" attached herewith.

(v) SUMMARY OF CLAIMED SUBJECT MATTER

Appellants' invention relates to a unique system, method, and computer program product for processing transactions between interconnected processing databases when the processing databases are of a different type. (See Specification page 7, lines 1-12, and FIG. 1.)

Independent claim 1 defines providing a plurality of processing databases of a plurality of types including at least one relational database and one sequential database and one spreadsheet database, each having a respective agent included therein. (See Specification page 7, line 1, through page 8, line 9.) Claim 1 also defines providing an intermediary database known as a transaction database. (See Specification page 8, lines 7-9, and FIG. 1.) Claim 1 further defines writing one or more transactions each having included therein a key and a detail, from a first processing database to the transaction database. (See Specification page 10, lines 5-7, and FIG. 2, step 23.) Claim 1 further defines the step of using an agent from a second processing database which is a different type of database than the first processing database, to periodically search the transaction database for a key and a detail to determine whether the agent (from the second processing database) should process a transaction. (See Specification page 10, lines 7-15, and FIG. 2, step 24.) Claim 1 further defines updating a record in the second processing database using the key and detail. (See Specification page 9, lines 10-11.)

Appellants' independent claim 8 defines a system for processing transactions. The system comprises a plurality of databases of a plurality of types including at least one relational database and one sequential database and one spreadsheet database, each having a respective agent included therein. (See Specification page 7, line 1, through page 8, line 9.) Claim 8 also has a transaction database. (See Specification page 8, lines 1-3, and FIG. 1, element 12.) Claim 8 further defines means for writing one or more

transactions, each having included therein a key and detail, from a processing database to the transaction database. Appellants' Specification page 8, lines 4-9, sets forth the structure and acts corresponding to this means for writing claim element. Specifically, the respective agent in each processing database is capable of writing a transaction document over the interconnection to transaction database 12 of FIG. 1.

Claim 8 also defines means for periodically searching, with an agent in a second processing database of a different type, in the transaction database for a key and detail to determine whether the agent should process a transaction. Appellants' Specification page 9, lines 1-17, and page 10, lines 7-15, sets forth the structure and acts corresponding to this means for periodically searching claim element. Namely, the agent of the second processing database searches the transaction database 12 of FIG. 1 over the interconnection shown in FIG. 1 and page 8, lines 7-17, for a key and detail. From the key and detail, the agent determines whether a transaction should be processed. Finally, claim 8 defines means for updating a record in the second processing database using the key and detail. The structure and acts corresponding to this means for updating claim element are set forth in Appellants' Specification page 9, lines 8-11. Specifically, the agent in the second processing database replaces data within the document with data from the detail.

Appellants' independent claim 15 defines a computer readable medium having program instruction means for carrying

out the same steps defined in claim 1. Support for each of these steps is given above with regard to claim 1.

(vi) GROUND OF REJECTION TO BE REVIEWED ON APPEAL

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Brodersen et al., in U.S. Patent No. 6,405,220 filed 07/06/2001 in view of Raz, U.S. Patent No. 6,292,827.

(vii) ARGUMENT

In the Decision on Appeal dated 12/17/2008, the Board found (page 11) that each of the plurality of databases of Brodersen has an agent or program with which it is associated to perform the respective functions. The Board gave the claim term "having" a meaning of "being associated with," and rejected Appellants' argument that "having" means "included in" or "being a part of."

Appellants subsequently amended independent claims 1, 8, and 15 in response to the Appeal Decision to specifically require the respective agent to be included in each of said processing databases, a recitation fully supported by Appellants' specification. Such amending has overcome the Board's interpretation of the claim term "having" to mean "being associated with." Brodersen's agent or program may be associated with the database, but it is not described as included in the database.

The Examiner states that prior art (Brodersen in view of Raz) still teaches databases including respective agent and refers to Board's decision page 11, lines 11-14. This is in error. The paragraph at page 11, lines 11-14 uses the term "having" in its ordinary meaning of "being associated with." (See previous paragraph of Board's decision.) As argued above claims 1, 8, and 15 have since been amended to further limit the "having" requirement and presently recite an "included in" requirement.

The Examiner also states (09/18/2009 Office Action page 10, top) that Appellants agree that Brodersen suggests databases including respective agent. This is also in error. Appellants have stated (page 8, lines 22-23 of Amendment filed 02/11/2009) that Brodersen suggests that each of the plurality of databases has an agent. Again the verb has is referring to the "having" requirement which has now been further limited to "included therein" in claims 1, 8, and 15. Appellants have not agreed that Brodersen suggests databases with respective agents "included therein" as now required.

The Examiner has therefore erred in both of his responses to Appellants' arguments above for patentability over Brodersen in view of Raz. Appellants' independent claims 1, 8, and 15 are allowable for this reason alone.

In the previous amendment, Appellants have also amended independent claims 1, 8, and 15 to require the key and detail to be included within each of the one or more transactions. The Examiner cited Brodersen's writing a transaction log to nodes.

The Board agreed that the combined teachings of Brodersen and Raz would disclose or at least suggest updating a record in said second of said plurality of processing databases by using said key and detail. The Board also found that the skilled artisan would have understood that the key and detail included in the databases in Brodersen are used in the updating of the databases. However, claims 1, 8, and 15 now require that there be a key and detail included in each transaction. The combination of Brodersen and Raz does not teach or suggest this requirement.

The Examiner argues incorrectly that because Brodersen writes a log file, each log record has to include a key and detail. However, because Brodersen does not describe or suggest a key and detail for each transaction while writing the transaction, Brodersen could at best be merely recording the key and detail found in his database. He is not describing writing a plurality of transactions, each having included therein a key and a detail as required by Appellants' independent claims 1, 8, and 15. Claims 1, 8, and 15 are therefore also allowable for this reason alone.

Finally, Appellants also amended claims 1, 8, and 15 in their previous amendment to require that the plurality of processing databases be a plurality of types which must include at least one relational database and one sequential database and one spreadsheet database. Such amending specifically clarifies the meaning of database types and overcomes any previous citations that Brodersen and Raz describes or suggests a plurality of processing database types. Claims 1, 8, and 15 are

thus allowable for this reason alone. The Examiner errs in not responding to this argument.

Accordingly, Appellants respectfully request that the Board reverse the rejection of claims 1, 8, and 15, and return the application to the Examining Group for allowance.

All of Appellants' remaining claims depend directly or indirectly on allowable claims 1, 8, or 15 and are therefore also allowable.

In view of the foregoing remarks, Appellants submit that claims 1-19 are patentably distinct from the prior art of record and are in condition for allowance. Accordingly, Appellants respectfully request that the Board reverse the Examiner's rejection of claims 1-19 and remand this application to the Examiner for allowance of the pending claims.

Respectfully submitted,

Dated: 11/18/2009 By: /John Pivnichny/
John R. Pivnichny
Reg. No. 43,001

Telephone: (607) 429-4358
Fax: (607) 429-4119

(viii) CLAIMS APPENDIX

1. A method of processing transactions, comprising the steps of:

providing a plurality of processing databases of a plurality of types including at least one relational database and one sequential database and one spreadsheet database, each of said processing databases having a respective agent included therein;

providing a transaction database;

writing one or more transactions, each having included therein a key and a detail, from a first of said plurality of processing databases to said transaction database;

periodically searching, using a processing agent from a second of said plurality of processing databases, said second of said plurality of databases having a different type than said first of said plurality of databases, in said transaction database for a key and detail to determine whether said processing agent should process said one or more transactions; and

updating a record in said second of said plurality of processing databases, by using said key and detail.

2. The method of claim 1, wherein said transaction database is a messaging database.

3. The method of claim 1, wherein said transaction database is a LOTUS NOTES database and said plurality of processing databases are adapted to read said LOTUS NOTES database.

4. The method of claim 1, wherein each of said one or more transactions has a processor designation specifying which of said plurality of processing databases is affected by said each of said one or more transactions.

5. The method of claim 1, wherein said key includes a wildcard character.

6. The method of claim 1, further comprising the step of transferring said one or more transactions from said transaction database to said second of said plurality of processing databases prior to said step of updating a record.

7. The method of claim 1, further comprising the step of setting a status flag in said one or more transactions.

8. A system for processing transactions, comprising:

a plurality of processing databases of a plurality of types including at least one relational database and one sequential database and one spreadsheet database, each of said processing databases having a respective agent included therein;

a transaction database;

means for writing one or more transactions, each having included therein a key and a detail, from a first of said plurality of processing databases to said transaction database;

means for periodically searching, using a processing agent from a second of said plurality of processing databases, said second of said plurality of databases having a different type than said first of said plurality of databases, in said transaction database for a key and detail to determine whether said processing agent should process said one or more transactions; and

means for updating a record in said second of said plurality of processing databases, by using said key and detail.

9. The system of claim 8, wherein said transaction database is a messaging database.

10. The system of claim 8, wherein said transaction database is a LOTUS NOTES database and said plurality of processing databases are adapted to read said LOTUS NOTES database.

11. The system of claim 8, wherein each of said one or more transactions has a processor designation specifying which of said plurality of processing databases is affected by said each of said one or more transactions.

12. The system of claim 8, wherein said key includes a wildcard character.

13. The system of claim 8, further comprising means for transferring said one or more transactions from said transaction database to said second of said plurality of processing databases.

14. The system of claim 8, wherein said one or more transactions have a status flag.

15. A computer program product for instructing a computer processor to handle transactions, said computer program product comprising:

a computer readable storage medium;

first program instruction means for providing a plurality of processing databases of a plurality of types including at least one relational database and one sequential database and one spreadsheet database, each of said processing databases having a respective agent included therein;

second program instruction means for providing a transaction database;

third program instruction means for writing one or more transactions, each having included therein a key and a detail, from a first of said plurality of processing databases to said transaction database;

fourth program instruction means for periodically searching, using a processing agent from a second of said plurality of processing databases, said second of said plurality of databases having a different type than said first of said plurality of databases, in said transaction database for a key and detail to determine whether said processing agent should process said one or more transactions; and

fifth program instruction means for updating a record in said second of said plurality of processing databases, by using said key and detail; and wherein

all said program instruction means are recorded on said medium.

16. The computer program product of claim 15, wherein each of said one or more transactions has a processor designation specifying which of said plurality of processing databases is affected by said each of said one or more transactions.

17. The computer program product of claim 15, wherein said key includes a wildcard character.

18. The computer program product of claim 15, further comprising sixth program instruction means for transferring said one or more transactions from said transaction database to said second of said plurality of processing databases.

19. The computer program method of claim 15, further comprising sixth program instruction means for setting a status flag in said one or more transactions.

(ix) EVIDENCE APPENDIX

None.

(x) RELATED PROCEEDINGS APPENDIX

None.